

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DION HORTON,)	
)	Civil Action No. 04 - 1400
Plaintiff,)	
)	Judge Gary L. Lancaster /
vs.)	Magistrate Judge Lisa Pupo Lenihan
)	
ALLEGHENY COUNTY JAIL; JAMES)	
GREGG, Deputy Warden; MAJOR)	
DONIS; LT. FLOOD; DANIEL)	
KOVACS, Correctional Officer; and)	
WILKERSON, Correctional Officer)	
)	
Defendants.)	

MEMORANDUM ORDER

Plaintiff's Complaint was received by the Clerk of Court on September 13, 2004, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

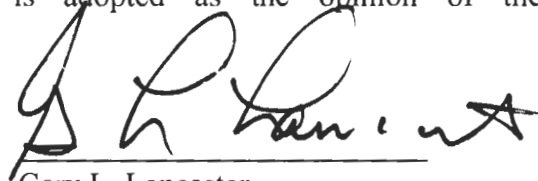
The magistrate judge's report and recommendation, filed on August 1, 2005, recommended that the Complaint be dismissed without prejudice for failure to prosecute. Service was made on Plaintiff at Allegheny County Jail, 950 Second Avenue, Pittsburgh, Pennsylvania 15219. No objections to the report and recommendation were filed. After review of the pleadings and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 25th day of August, 2005,

IT IS HEREBY ORDERED that Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

IT IS FURTHER ORDERED that the Report and Recommendation of Magistrate

Judge Lenihan, dated August 1, 2005, is adopted as the opinion of the court.

A handwritten signature in black ink, appearing to read "G. L. Lancaster", written over a horizontal line.

Gary L. Lancaster
United States District Judge

cc: The Honorable Lisa Pupo Lenihan
United States Magistrate Judge

DION HORTON
62058
Allegheny County Jail
950 Second Avenue
Pittsburgh, PA 15219